



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

October 9, 2014

Borton Packing Center LLC
c/o Dan Haller, Aspect Consulting
123 E Yakima Ave, Ste. 250
Yakima WA 98901-9766

RE: Water Right Permit No. G4-30182(A)P – Borton Packing Center, LLC

Dear Mr. Haller:

In response to your request, the development schedule for the above referenced water right has been extended as follows:

Proof of Appropriation: October 15, 2015

Basis of extension approval:

The permit holder requires more time to collect water use data for the purpose of quantifying beneficial use of water.

- Additional time is necessary for the orderly development and transfer of controlling interests.
- The permit holder has filed a Change Application with the Yakima County Conservancy Board to change place-of-use, manner of use, and season of use.

According to Ecology's POL-1050, *Extension of Time on Permits*, "As a condition of an extension, the Department of Ecology may require additional provisions and conditions . . ." Therefore, as a condition of this extension, Ecology is requiring the following **new** provisions:

- Meter Installation: An approved measuring device shall be installed and maintained for the source authorized by this water right in accordance with WAC 173-173.
- Meter Requirements: No withdrawal or diversion of water shall be made unless the measuring device is in proper operating condition, except when:
 - The measuring device is being repaired.
- Measurement of Water Use:
 - Water-use-data shall be recorded by-weekly (every two weeks) and reported annually by the property owner of a minimum of five years. The independent rate of withdrawal and independent annual total volume shall be submitted to Ecology by January 31st of each calendar year.
- Electronic Reporting: Recorded water-use-data shall be submitted via the Internet. To set up an Internet-reporting account, contact the Central Regional Office Regional Office (CRO). If you do not have Internet access, you can still submit hard copies by contacting the CRO for forms to submit your water-use-data.
- General Conditions: Ecology personnel, upon presentation of proper credentials, must have access at reasonable times to the records of water use that are kept to meet the above conditions and to inspect at reasonable times any measuring device used to meet the above conditions.



YOUR RIGHT TO APPEAL

You have a right to appeal this Decision to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Decision. The appeal process is governed by chapter 43.21B RCW and chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do all of the following within 30 days of the date of receipt of this Decision:

- File your appeal and a copy of this Decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in chapter 43.21B RCW and chapter 371-08 WAC.

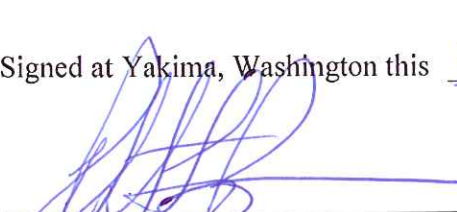
ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW, Suite 301 Tumwater WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>

Signed at Yakima, Washington this 9th day of OCTOBER 2014.


Robert F. Barwin, P.E.,
Acting Section Manager

RFB:CLG:ss
140917

Enclosures: Your Right to Be Heard
Water Measurement Requirements & Form 1
Proof of Appropriation Form
Family Farm Form

By certified mail: 7010 0290 0000 7127 1764